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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/855,336	05/15/2001	Kraig Schlosser	60680-446	1089
26127	7590	02/20/2004	EXAMINER	
DYKEMA GOSSETT PLLC 39577 WOODWARD AVENUE SUITE 300 BLOOMFIELD HILLS, MI 48304-5086			ROYAL, PAUL	
			ART UNIT	PAPER NUMBER
			3611	

DATE MAILED: 02/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/855,336

Applicant(s)

SCHLOSSER ET AL.

Examiner

Paul Royal

Art Unit

3611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 November 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,6,8,10,11 and 17-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,6,8,10,11 and 17-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 May 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☒ Other: annotated Figure 3

DETAILED ACTION

Response to Amendment

1. The amendment filed on 21 November 2003 has been entered.

Response to Arguments

2. Applicant's arguments with respect to the 35 USC 102 and 103 rejections of claims 1-3, 6, 8, 10-11, and 17-29 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-2, 6, and 27-28 are rejected under 35 U.S.C. 102(b) as being anticipated by Mitchell et al. (US 1,104,534).

Mitchell et al. teaches a steering axle assembly, comprising:

an axle beam (10) disposed about a longitudinal axis; and

an inverted knuckle yoke having a body portion (15) disposed on one side of the longitudinal axis of the axle beam (10), and first and second arms (14) extending from the body portion, the first and second arms (14) are configured to receive a kingpin (13)

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and disposed on the same side of the longitudinal axis of the axle beam and wherein the body portion (15) extends from the axle beam (10) in an outboard direction and at an angle to the longitudinal axis of the axle beam (10);

wherein the body portion (15) of the knuckle yoke is coupled to an external surface of the axle beam (10) at a location inboard of the longitudinal end (LongEnd, see Examiner's annotated Figure 3) of the axle beam (10) and the body portion is disposed on only one side of the longitudinal axis of the axle beam (10);

wherein the axle beam (10) and inverted knuckle yoke are formed into a single integrated forging or fabrication; and

wherein all of the body portion (15) is disposed on one side of the longitudinal axis of the axle beam (10);

For claim 27, note, Mitchell et al. teaches journaling the body portion (15) to the axle beam (10) in any suitable manner, lines 68-86, which is understood to include making the elements integral, or a single integrated forging or fabrication.

4. Claim 17 is rejected under 35 U.S.C. 102(b) as being anticipated by Mitchell et al. (US 1,104,534).

Mitchell et al. teaches a steering axle assembly, comprising:

an axle beam (10) disposed about a longitudinal axis; and

an inverted knuckle yoke having a body portion (15) disposed on one side of the longitudinal axis of the axle beam (10), and first and second arms (14) extending from the body portion, the first and second arms (14) are configured to receive a kingpin (13)

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and disposed on the same side of the longitudinal axis of the axle beam and wherein the body portion (15) extends from the axle beam (10) in an outboard direction and at an angle to the longitudinal axis of the axle beam (10);

a spindle assembly (12) mounted on the kingpin (13);

wherein the body portion (15) of the knuckle yoke is coupled to an external surface of the axle beam (10) at a location inboard of the longitudinal end (LongEnd, see Examiner's annotated Figure 3) of the axle beam (10) and the body portion is disposed on only one side of the longitudinal axis of the axle beam (10);

wherein the axle beam (10) and inverted knuckle yoke are formed into a single integrated forging or fabrication; and

wherein all of the body portion (15) is disposed on one side of the longitudinal axis of the axle beam (10).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 3, 8, and 17-26, and 29 are rejected under 35 U.S.C. 103(a) as obvious over Mitchell et al., as applied to claims 1 and 17 above as applicable, in view of Beach et al. (US 3,423,104).

Mitchell et al. teaches the claimed limitations except wherein the body portion is welded to the external surface of the axle beam and wherein the spindle assembly is rotatably mounted on the kingpin and includes a mounting body having a bore, a mounting washer disposed between the mounting body and one of the first and second arms, and a steering arm coupled to the mounting body.

Beach et al. teaches a wheel steering apparatus wherein the body portion (12) is welded (16) to the external surface of the axle beam (10) and wherein the spindle assembly (62) is rotatably mounted on the kingpin (42) and includes a mounting body (38) having a bore (44) and a steering arm (102), to provide an apparatus which is capable of withstanding high loads and forces.

Further, Beach et al. teaches a mounting washer (49) disposed between the mounting body (38) and one of the first and second arms (20,22).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the assembly of Mitchell et al., as applied to claims 1 and 17 above as applicable, to include wherein the body portion is welded to the external surface of the axle beam and wherein the spindle assembly is rotatably mounted on the kingpin and includes a mounting body having a bore and a steering arm, as taught by Beach et al., to provide an apparatus which is capable of withstanding high loads and forces.

Note, Mitchell et al. teaches journaling the body portion (15) to the axle beam (10) in any suitable manner, lines 68-86.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Lindsay teaches a steering spindle. Riise teaches a tractor construction. Phelps teaches an automotive suspension. Okamuro et al. teaches a steering axle.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul Royal whose telephone number is 703-308-8570. The examiner can normally be reached on 8:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lesley D. Morris can be reached on 703-308-0629. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



P. Royal
Friday, February 13, 2004

Paul Royal
Examiner
Art Unit 3611



LESLEY D. MORRIS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600

File Copy

W. F. MITCHELL & E. E. HENRY.
AUTOMOBILE WHEEL CONTROLLING MEANS.
APPLICATION FILED DEC. 24, 1913.

1,104,534.

Patented July 21, 1914.

2 SHEETS-SHEET 1.

